

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

PROGRESSIVE SPECIALTY )  
INSURANCE COMPANY, )  
 )  
Plaintiff, ) 2:06-CV-00336-MHT-TFM  
v. ) [wo]  
 )  
DARRYL D. FINCH, et al., )  
 )  
Defendants. )

**ORDER**

On May 11, 2007, the Magistrate Judge filed a Recommendation (Doc. 35) to which no timely objections were made. Upon an independent and de novo review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is **ORDERED** that:

1. The Recommendation of the Magistrate Judge (Doc. 35) is **ADOPTED**;
2. The Motion for Summary Judgment (Doc. 31) filed by Progressive Specialty Insurance Company is **GRANTED**;
3. Declaratory Judgment is **GRANTED**. The Progressive policy does not provide coverage for Finch and Finch Enterprises for any claims against them by Washington; and
4. **JUDGMENT** is issued in favor of the Plaintiff.

DONE, this the 31st day of May, 2007.

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/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE